

REMARKS:

In the foregoing Listing of Claims, Applicants cancel all claims in the application other than process claims 30 and 32-34. The canceled claims include product claims 27-29, 35-40, and 49 and product-by-process claim 44. Claims 30 and 32-34 remain in the application for consideration by the Examiner.

This application is on appeal to the Board of Patent Appeals and Interferences. On March 12, 2009, Applicants submitted a Brief on Appeal.

Applicants desire to express their thanks to Examiner Donna A. Jagoe for the courtesies extended the undersigned in telephone interviews on July 29 and September 2, 2009. In the telephone discussions between Examiner Jagoe and the undersigned, the Examiner indicated that process claims 30 and 32-34 were allowable and would be allowed if claim 30 was rewritten in independent form including the limitations of claim 27 therein. However, the Examiner maintained the rejection of pending product claims 27-29, 35-40, and 49 and product-by-process claim 44.

In the foregoing Listing of Claims, Applicants cancel all claims other than the process claims and rewrite claim 30 as an independent claim including the limitations of claim 27 therein. Therefore, Applicants request a formal allowance of claims 30 and 32-34.

Applicants request that the foregoing amendments be entered under the provisions of 37 C.F.R. § 1.116(b), because the amendments place the application in condition for allowance as indicated by the Examiner in the aforesaid telephone interviews. For these reasons, Applicants again request a formal allowance of claims 30 and 32-34.

While it is believed that the present application is in condition for allowance, should the Examiner have any comments or questions, Applicants invite the Examiner to telephone the undersigned at the below listed number to resolve any outstanding issues.

In the event that this paper is not timely filed, applicant hereby petitions for an appropriate extension of time. The Commissioner is hereby authorized to charge the fee therefor, as well as any deficiency in the payment of the required fee(s) or credit any overpayment, to our Deposit Account No. 50-1147

Respectfully submitted,

/ R. Eugene Varndell, Jr. /
R. Eugene Varndell, Jr.
Registration No. 27,928

Atty. Docket No. VX012397 PCT
POSZ LAW GROUP, PLC
12040 South Lakes Drive
Suite 101
Reston, Virginia 20191
Tel: (703) 707-9110
Fax: (703) 707-9112